Mr. A. V. Moothedan *(Chalakkudi):* It is a non-official Bill. Why can't the Government undertake it. If we bring a Bill, it will take one or two years. Even then, Government will oppose.

On this principle that whatever is given in British India should be accepted here, there are certain provisions of law which are very salutory and which are in the British Indian Statute Book, for instance, an amendment of the Criminal Procedure Code enabling a prisoner to move the High Court by an original petition of *habeas corpus, writ of mendamus* and so many other writs.

Mr. Deputy President: Mr. Moothedan, we are now on the Trade Marks Bill.

Mr. A. V. Moothedan *(Chalakkudi):* I am pointing out that the Government is not following a consistent policy. Whereever there is some advantage they will take it. I am impressing upon the Government the urgent necessity of introducing similar legislation in the matter of Criminal Procedure Code and Specific Relief Act.

Mr. K. M. Ibrahim *(Cranganur):* What about the Constitution Act itself? Let us begin with that.

Motion put and carried

Secretary to the Council: The title of the Bill is "The Cochin Trade Marks Bill".

Mr. M. Sivarama Menon *(Advocate-General):* I beg to move that the Hon'ble President may be pleased to suspend S. O. 32.

Mr. Deputy President: The Standing Order is suspended.

Mr. M. Sivarama Menon *(Advocate-General):* I beg to move that the Cochin Trade Marks Bill may be taken into consideration.

Mr. I. Madhava Panicker *(Secretary to Government):* I second it.

Motion put and carried

Clauses 2 to 81, Section 1, and Title and Preamble put and carried

Mr. M. Sivarama Menon *(Advocate-General):* I beg to move that the Cochin Trade Marks Bill may be kindly taken up and finally passed day after tomorrow.

Mr. B. V. K. Menon *(Secretary to Government):* I second it.

Motion put and carried

The Cochin Registration Act (Amendment) Bill

Mr. I. Madhava Panicker *(Joint Secretary to Government):* Sir, I beg to move that the Cochin Registration Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

Secretary to the Council: The title of the Bill is "The Cochin Registration Act (Amendment) Bill".

Mr. I. Madhava Panicker *(Joint Secretary to Government):* I request that the Hon'ble President may be pleased to suspend S. O. No. 32.

Mr. Deputy President: The S. O. is suspended.

Mr. I. Madhava Panicker *(Joint Secretary to Government):* I beg to move that the Bill may be taken into consideration.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

Clauses 2 to 4 put and carried

Clause 1 put and carried

Title and Preamble put and carried

Mr. I. Madhava Panicker *(Joint Secretary to Government):* I beg to move that the Bill may be taken up and finally passed day after tomorrow.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

The Cochin Court fees Act (Amendment) Bill

Mr. M. Sivarama Menon *(Advocate-General):* Sir, I beg to move that the Cochin Court Fees Act (Amendment) Bill be read in Council.

Mr. B. V. K. Menon *(Secretary to Government):* I second it.

Mr. M. Sivarama Menon *(Advocate-General):* After the motion is seconded I feel it my duty to inform the Hon'ble House that this amendment Bill is practically tabled as an anti-inflationery measure. The point is that even before this inflation began, Cochin really stood in need of an increase in the rates of court fees.. You will find, as a matter of fact, that in the

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(*l*) prescribe the manner in which, in proceedings under this Act before Government or the Registrar, application shall be made, notices given and matters advertised;

(*m*) prescribe times or periods required by this Act to be prescribed ;

(*n*) provide, generally, for regulating the business of the Trade Marks Registry and for regulating all things by this Act placed under the direction or control of Government or the Registrar.

Power to Government to make provision for applications for registration before the coming into force of the remaining provisions of Act.

81. Government may, by notification in the Cochin Government Gazette, provide such procedure as it considers expedient to enable intending applicants to deposit trade marks at the Patent Office before the coming into force of the remaining provisions of this Act:

Provided that the deposit of a trade mark under this section shall not affect any right, existing or accruing, in the trade mark.

APPENDIX VI

The Cochin Registration Act (Amendment) Bill

Preamble.—Whereas it is expedient further to amend the Cochin Registration Act, V of 1084, it is hereby enacted as follows.—

1. *Short title and commencement.*—This Act may be called "The Cochin Registration (Amendment) Act.....of 1119" and it shall come into force at once.

2. *Amendment of section 15.*—In clause (c) of section 15 of the Cochin Registration Act V of 1084, hereinafter referred to as the Act, the words "or, in case such property is situate in several districts by such number of true copies of the map or plan as are equal to the number of such districts" shall be deleted.

3. *Substitution of section 57.*—For section 57 of the Act, the following shall be substituted.—

"57. *Procedure on registering documents relating to land.*—On registering any non-testamentary document relating to immoveable property not wholly situate in his district, the Registrar shall make a memorandum thereof and of the endorsement and certificate (if any) thereon and send the same to every other Registrar in whose district any part of such property is situate, with extracts showing the description of properties or schedules as contained in the document regarding properties in the respective districts.

Such Registrar on receiving any such memorandum shall file it in his Book No. I.

4. *Amendment of section 59.*—In section 59 of the Act, the following shall be inserted as a new clause after the clause ending with the word and figure "section 56".

"prescribing the form in which memoranda to be transmitted under section 57 shall be prepared".

APENDIX VII

THE COCHIN COURT FEES ACT (AMENDMENT) BILL

Preamble.—Whereas it is expedient further to amend the Cochin Court Fees Act, II of 1080, it is hereby enacted as follows.—

1. *Short title and commencement.*—This Act may be called the Cochin Court Fees (Amendment) Act, of 111 and shall come into force at once.

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